

HF 1322 (Tabke) – Penalties Overview

With H1322DE1 Amendment

Act / Violation	Current Law Penalty	Revised Statutory Penalty	Court Surcharge	Admin. Citation	Removal Authorized	DE Location
Non-Criminal Enforcement						
Rider code of conduct	None	None; see other provisions	N/A	No; see other provisions	After warning	Sec. 4, subd. 2
Decriminalization						
Fare evasion or fraud	Misdemeanor	<u>Petty</u> misdemeanor; max \$10 fine	\$25	Yes	(See code of conduct)	Sec. 7
Device noise	Misdemeanor	<u>None</u>	N/A	No	(See code of conduct)	Sec. 8
Food or beverage consumption	Misdemeanor	<u>None</u>	N/A	No	(See code of conduct)	Sec. 8
Animal companion	Misdemeanor	<u>None</u>	N/A	No	(See code of conduct)	Sec. 8
Littering	Misdemeanor	<u>Petty</u> misdemeanor, after warning	\$25	Yes	(See code of conduct)	Sec. 8
Penalty Increase						
Smoking	<u>Petty</u> Misdemeanor (§ 144.413)	Misdemeanor	\$25	Yes	Yes	Sec. 9
Alcohol consumption	Possible: local ordinance ^(a)	Misdemeanor	\$25	Yes	Yes	Sec. 9

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Equivalent Penalty						
Urination, defecation	Misdemeanor ^(a) (\$ 609.72)	Misdemeanor	\$25	Yes	Yes	Sec. 9
Damage, vandalism	Misdemeanor ^(b) (\$ 609.595)	Misdemeanor	\$25	Yes	Yes	Sec. 9
Disorderly conduct - offensive, obscene, etc.	Misdemeanor (\$ 609.72)	Misdemeanor	\$25	Yes	Yes	Sec. 9
<p>Notes</p> <p>^(a) Penalty is presumed/anticipated, but not confirmed. Circumstances may vary.</p> <p>^(b) May vary depending on specifics of the violation.</p>						